

FILED

SEP 05 2017

Clerk, U.S. District Court
District Of Montana
Billings

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHELLE LYNN EDELMAN,

Defendant.

CR 14-102-BLG-SPW-TJC-3

**FINDINGS AND
RECOMMENDATIONS
REGARDING REVOCATION
OF SUPERVISED RELEASE**

A petition filed in this case alleges that Defendant violated conditions of her supervised release. Judge Watters referred the matter to the undersigned to conduct a final hearing and issue findings and recommendations. (Doc. 120.) (citing 28 U.S.C. § 636(b)(1)(B) and Fed. R. Crim. P. 59(a)).

On August 10, 2017, the Court conducted the final revocation hearing. Defendant admitted all violations, except Violation Nos. 8, 9, 11, and 14. The Court accepted the admissions, but reserved making a recommendation as to revocation and disposition, to permit U.S. Probation to explore the possibility of a public law placement at a treatment facility outside of Billings.

On September 5, 2017, the Court held a further revocation hearing, and was advised that Defendant could be placed at the Residential Reentry Center in Butte, Montana. Accordingly, IT IS RECOMMENDED that Defendant's supervised release not be revoked at this time, and that Defendant be continued on supervised

release under all previous conditions. IT IS FURTHER RECOMMENDED that Defendant's conditions of supervised release be modified to include the following condition:

The defendant shall reside in a Residential Reentry Center (RRC) under contract to the United States Bureau of Prisons, in the pre-release component, for a period of 6 months. The defendant shall abide by all rules and regulations of the center and successfully complete any programming as deemed appropriate by the United States Probation Office.

**NOTICE OF RIGHT TO OBJECT TO FINDINGS AND
RECOMMENDATIONS AND CONSEQUENCE OF FAILURE TO OBJECT**

The parties may serve and file written objections to the Findings and Recommendations within 14 days of their entry, as indicated on the Notice of Electronic Filing. 28 U.S.C. § 636(b)(1). Judge Watters will make a *de novo* determination regarding any portion of the Findings and Recommendations to which objection is made. Judge Watters may accept, reject, or modify, in whole or in part, the Findings and Recommendations. Failure to timely file written objections may bar a *de novo* determination by Judge Watters, and may waive the right to appear and allocute before Judge Watters.

DATED this 5th day of September, 2017.



TIMOTHY J. CAVAN
United States Magistrate Judge